Comments for the record: Martis Valley West Specific Plan Draft Environmental Impact Report (State Clearinghouse No. 2014032087)

I am here to day make comments on the Draft EIR for Martis Valley West Parcel Specific Plan.

My overarching statement is this EIR is the most confusing I've ever reviewed. The placement of Cumulative Impacts in the Executive Summary and not having a separate chapter like most EIR's is a prime example.

That segues in the terminology used for cumulative impacts. Simply stating: "Would not result in a considerable contribution to the cumulative impact is not acceptable. Example: Cumulative Impact 7-10: Cumulative direct or indirect effects on special-status wildlife species or reduction of habitats or restriction of range of wildlife species or interference with the movement of native resident or migratory wildlife species or wildlife corridors.

Implementation of the MVWPSP and the cumulative projects in the region would result in conversion and fragmentation of habitat, introduction of additional traffic, population, sources of noise and air pollutant emissions, .... (and other effects that could disturb the foraging and movement patterns of individuals, affect breeding activities and reproductive success, cause direct mortality or injury, and disturb or) remove suitable habitat for some special-status wildlife species, etc. The "significance before mitigation" has NOT been stated thus the specific impacts solely created by the MVWPSP itself have not been identified in the DEIR.

Every impact must have a defined baseline impact category: NI = No impact, LTS = Less than significant, PS = Potentially significant, S = Significant, SU = Significant and unavoidable showing the actual project level contribution to the cumulative impact before mitigation.

Table 2-1 Summary of Impacts and Mitigation Measures must be updated in the FEIR to reflect the "significance before mitigation category" where it has not been identified in the DEIR.

Then you have to go to Chapter 4 Approach to Environmental Analysis to find the cumulative impacts project list. The FEIR should be revised to have a stand-alone cumulative impacts chapter. Must

### CEQA References:

Section 15130(a) of the California Environmental Quality Act (CEQA) Guidelines requires a discussion of the cumulative impacts of a project "when the project's incremental effect is cumulatively considerable." Cumulatively considerable, as defined in

Section 15065(c), "means that the incremental effects of an individual project (MVWPSP) are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

CEQA Guidelines Section 15355 defines cumulative impact as "an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts."

g Reviews

Page 1 of 7 + 10 pages (presentation to NTFO NOV 18, 2015)

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### Next:

By introducing a revised Martis Valley West Parcel Specific Plan dated Oct 2015 being reviewed concurrently with MVWPSP DEIR that has brand new significant information adds another layer of confusion. The revised Specific Plan has added new design standards, implementation measures, evacuation route info, etc. The public and agencies commented on a prior Specific Plan. We are now being asked to comment on the newly released and revised specific plan and DEIR separately.

This is similar to the Placer County Tahoe Basin Area Plans lack of a correct project description

This is similar to the Placer County Tahoe Basin Area Plans lack of a correct project description which triggered a re-circulation of the NOP which should be considered for the Martis Valley West Specific Plan. I believe the Specific Plan is supposed to inform the DEIR so a new NOP should be circulated to add the Revised Specific Plan information as the DEIR is requesting approval of the Specific Plan as part of the approval process which is provided in Table 3-7 page 3-35.

A detailed example of confusion is in the Public Service- DEIR Chapter 17 - MVWPSP Evacuation Routes (EVA)

The DEIR states the proposed Specific Plan will have 760 luxury units of various types, single and multi-family dwellings, condos and cabins and 6+ acres of commercial adjacent to SR 267 in the Martis Valley.

The Brockway Campground documentation on the same ridge in the Tahoe basin developing up

The Brockway Campground documentation on the same ridge in the Tahoe basin developing up to 550 sites for camping, RVs and yurts will share a secondary evacuation exit with the MVWPSP. The FEIR must disclose the campground proposes to use the same secondary EVA

The packet I have provided you (presented to NTFD November 18, 2015) contains various maps of from DEIR, Specific Plan and references that are needed for additional analysis being required in the FEIR to demonstrate public health and safety has been adequately addressed.

<u>Map 1</u>- (Appendix D from the MVWPSP) shows the project boundary and proposed fire & life safety access routes, <u>Map 2</u> (Figure 3-3 MVWPSP) shows development of the primary EVA crosses in to a non-development area, <u>Map 3</u> (Exhibit 14-3 DEIR) Avalanche Risk Area where a portion of the primary EVA is in a potential avalanche zone, <u>Map 4</u> more avalanche zone info from geotechnical report, <u>Map 5</u> (Exhibit 14-4 DEIR) Erosion Hazard Rating where the EVA is partially located on a severe erosion rating zone, <u>Map 6</u> (Exhibit 9-26 DEIR) Conceptual Site Plan for comparison to other maps for location of EVA, <u>Map 7</u> (Brockway Campground documentation C12.1) to show that both projects propose to use the same secondary EVA to the Fibreboard Freeway.

Comments for the record: Martis Valley West Specific Plan Draft Environmental Impact Report (State Clearinghouse No. 2014032087)

The FEIR must disclose and analysis prove the EVA's are safe for the public and approved by all fire agencies not just the Northstar Service District as the NTFD is closer to the projects EVA's and shall be called upon to service medical emergencies or evacuation. Funneling up to what could be 3,000 people at peak summer occupancy with two proposed projects along with recently released NTFD evacuation recommendations for the North Shore residents and tourists showing Tahoe Vista and Kings Beach folks using SR267 could result in a real calamity on Brackets Summer

The Fibreboard road heading to Tahoe City is not completely suitable for two wheel drive vehicles. The FEIR must provide detailed criteria and maps showing the Tahoe City route is safe for all vehicles or remove as a proposed fire access route.

Simply stating (in Impact 17-3 Page 17-8) a Fire Protection Plan will be prepared is not sufficient enough to prove public health and safety has been adequately and accurately analyzed in the DEIR. The FEIR must disclose Fire District (NCSD, Truckee and NTFD) standards/requirements for evacuation roads. It is not clear a dirt road is an acceptable option for any EVA especially as two projects are proposing to use it.

The FEIR must disclose detailed criteria for EVA road requirements and standards i.e minimum road width, hydrant location etc.

To assure public health and safety, an estimated cost for all EVAs must be included in the FEIR to determine financial feasibility is achievable and that all fire code requirements for the EVAs are fundable as well as operations and maintenance costs being available. If the Fibreboard road is required to be widened to fire code standards an impact analysis and estimated cost must be included in the FEIR. USFS concurrence that EVA is an acceptable use must be obtained.

The FEIR must include an additional water assessment analysis for the EVAs in the Tahoe basin if hydrants must be installed on the Fibreboard Road and Brockway Summit access on Tahoe basin land. The FEIS must include impact analysis for road construction of EVA (s) in the Tahoe basin if a dirt road is unacceptable and Fiberboard must be widened. (Analysis must include, but is not limited to, noise, grading, air quality issues, etc.) Tahoe basin threshold analysis must be provided triggering TRPA approval per The Bi-State Compact for disturbance to Tahoe Basin lands for any use of the proposed Fiberboard Freeway, & Brokeway Summet Tahoe lands.

The FEIR must disclose the Fiberboard Freeway Road carrying capacity (how many maximum vehicles allowed) for evacuation and cumulative impacts with the local and tourist population recreational usage.

Comments for the record: Martis Valley West Specific Plan Draft Environmental Impact Report (State Clearinghouse No. 2014032087)

Maps in different scales are problematic for comparing potential impacts. All maps in all sections of the FEIR MUST be the same scale for comparison to allow the public and agencies to determine adequacy of impact analysis.

Alternatives- DEIR Chapter 19

I will close with the stating there is the lack of a real alternative that supports the project objectives. CEQA 15126.6. CONSIDERATION AND DISCUSSION OF ALTERNATIVES TO THE PROPOSED PROJECT. (a) Alternatives to the Proposed Project

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives

That reasonable and feasible alternative that must be studied and included in the FEIR is a reduced density project on the East parcel which is a better location, where entitlements currently exist per the Martis Valley Community Plan, which would result in less impacts i.e. visual (especially no conflict with Tahoe), traffic & GHG, grading, noise, etc. with less steep slopes.

A conservation easement for the remainder of the acreage which is approx 5,700 acres could still be preserved.

# **CEQA** references

# 15126.6. CONSIDERATION AND DISCUSSION OF ALTERNATIVES TO THE PROPOSED PROJECT.

(a) Alternatives to the Proposed Project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553 and Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d 376). (b) Purpose. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

Comments for the record: Martis Valley West Specific Plan Draft Environmental Impact Report (State Clearinghouse No. 2014032087)

- (c) Selection of a range of reasonable alternatives. The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are:(i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts. (d) Evaluation of alternatives. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed. (County of Inyo v. City of Los Angeles (1981) 124 Cal.App.3d 1).
- (e) "No project" alternative.
- (1) The specific alternative of "no project" shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project alternative analysis is not the baseline for determining whether the proposed project's environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish that baseline (see Section 15125).
- (2) The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.
- (3) A discussion of the "no project" alternative will usually proceed along one of two lines: (A) When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the "no project" alternative will be the continuation of the existing

plan, policy or operation into the future. Typically this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.

(B) If the project is other than a land use or regulatory plan, for example a development should identify the practical result of the project's non-approval and not create and analyze a set of artificial assumptions that would be required to preserve the existing physical environment.

(C) After defining the no project alternative using one of these approaches, the lead agency

Comments for the record: Martis Valley West Specific Plan Draft Environmental Impact Report (State Clearinghouse No. 2014032087)

should proceed to analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

- (f) Rule of reason. The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making.
- (1) Feasibility. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553; see *Save Our Residential Environment v. City of West Hollywood* (1992) 9 Cal.App.4th 1745, 1753, fn. 1).
- (A) Key question. The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.
  (B) None feasible. If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR. For example, in some cases there may be no feasible alternative locations for a geothermal plant or mining project which must be in close proximity to natural resources at a given location.

### Reference in the DEIR

Page 17-17 DEIR "Access to the interior of the West Parcel development area would be provided via a two-lane roadway from SR 267. Internal streets would also have two lanes. An emergency vehicle access (EVA) road would be provided by connection to SR 267 at Brockway Summit. The EVA would be a paved two-lane road that would be accessible year-round. The EVA would provide access for emergency vehicles only, unless needed to evacuate residents. Fibreboard Freeway, a paved two-lane road is located south of the West Parcel boundary and connects to SR 267. An existing unimproved dirt road from the West Parcel that connects to Fibreboard would provide a secondary seasonal emergency access during catastrophic events (e.g., wildfire)."

Comments for the record: Martis Valley West Specific Plan Draft Environmental Impact Report (State Clearinghouse No. 2014032087)

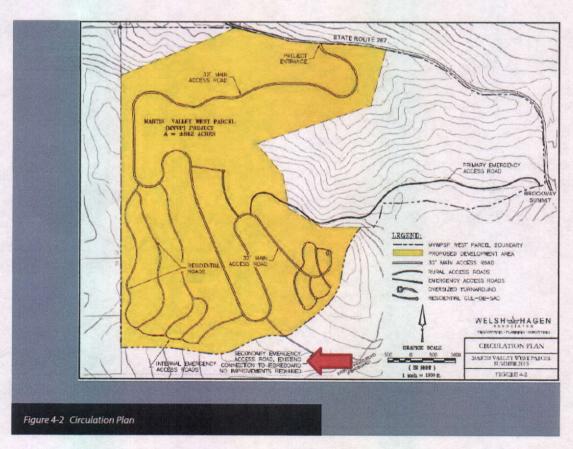
### Reference in the Draft Specific Plan

## Plan 4.5 Emergency Vehicle Access

"A primary emergency vehicle access (EVA) road would be constructed through the 325-acre forest land, connecting to SR 267 at Brockway Summit. The EVA would be a paved road that would be accessible in all seasons and used for emergency vehicles only. A cross section of the EVA is shown in Figure 4-6. A secondary EVA is proposed to be provided by existing

connections to the Fibreboard Freeway, which runs near the southeastern corner of the West Parcel and connects to SR 267. The secondary EVA would not be a new access route or an improved road and would be used only in non-winter months and for catastrophic event evacuation. Both EVAs would be used for emergency vehicles only, unless needed to also evacuate residents. Additional EVAs, internal to the MVWPSP, will connect internal cul-de-sacs, providing multiple means of exiting the MVWPSP development during emergencies."

Figure 4-2 states No improvements required. The FEIR must cite fire standards for EVA disclosing an existing dirt road is acceptable as an EVA for two projects



Martis Valley West Parcel Specific Plan

North Tahoe Fire: Board of Directors meeting November 18, 2015

Ellie Waller, Tahoe Vista resident for the Record.

Thank you for the recent evacuation route maps for our area which segues into why I am here before you today to express my concerns about the Martis Valley West Parcel Specific Plan Draft EIR proposed Evacuation Routes. This project is proposing 760 luxury units of various types, single and multi-family dwellings, condos and cabins and 6 acres of commercial adjacent to SR 267 in the Martis Valley to atop a shared Tahoe Basin ridgeline. Another proposed project, on the very same ridgeline in the Tahoe Basin is the Brockway Campground containing up to 550 sites for camping, RVs and yurts,

The packet I have provided you contains various maps of both projects to demonstrate my concerns. Map 1- (Appendix D from the MVWPSP) shows the project boundary and proposed fire & life safety access routes, Map 2 (Figure 3-3 MVWPSP) show development and non-development areas where the primary EVA crosses in to a non-development area, Map 3 (Exhibit 14-3 DEIR) Avalanche Risk Area where a portion of the primary EVA is in a potential avalanche zone, Map 4 more avalanche zone info from geotechnical report, Map 5 (Exhibit 14-4 DEIR) Erosion Hazard Rating where the EVA is partially located on severe erosion rating, Map 6 (Exhibit 9-26 DEIR) Conceptual Site Plan for comparison to other maps for location of EVA, Map 7 (Brockway Campground documentation C12.1) to show that both projects propose to use the same secondary EVA to the Fibreboard Freeway.

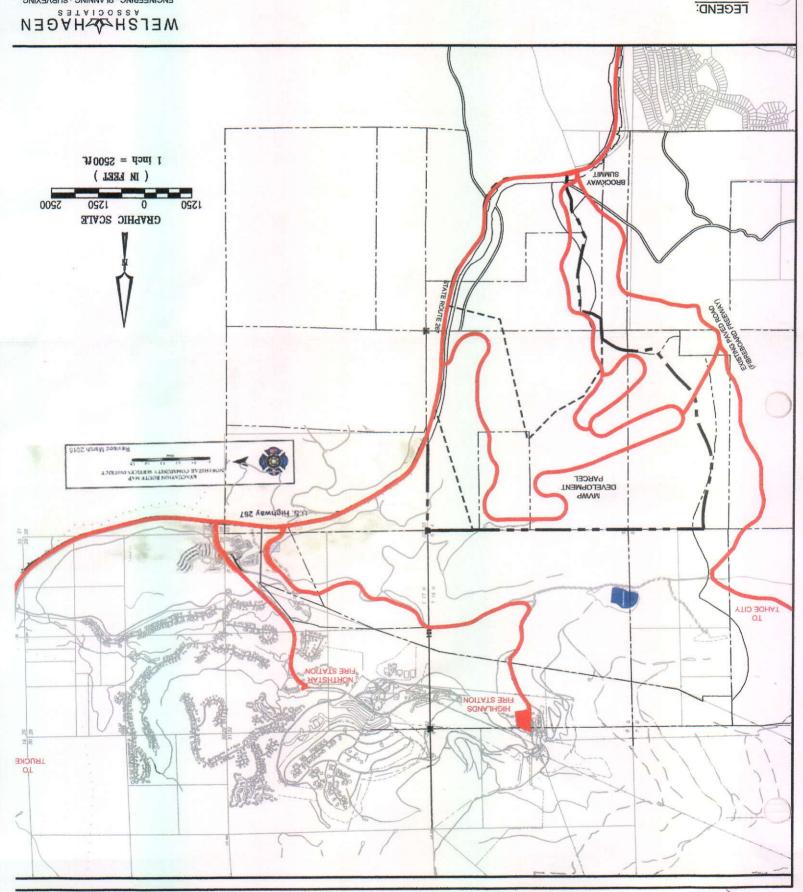
The maps in the DEIR clearly show that both projects (MVWPSP and Brockway Campground) propose to use the same secondary EVA through the proposed Brockway Campground in the Tahoe Basin which is your jurisdiction as well as the terminus of the primary EVA crossing into Tahoe basin lands at Brockway Summit. Funneling up to what could be 3,000 people at peak summer occupancy along with recently released NTFD evacuation recommendations for the residents and tourists in Tahoe Vista and Kings Beach could result in a real calamity.

I urge everyone here or a staff member to attend the Placer County Planning Commission meeting tomorrow November 19, 2015 to hear a presentation from the applicant about the Martis Valley West Parcel (MVWPSP) project. It is a time-certain item at 10a.

The Martis Valley Specific Plan EIR comments are due Dec 22, 2015 and I am hoping your Staff is preparing comments. Please carefully review the information I provided showing the EVA locations, Proposed Site Plan at buildout for both Martis Valley West and the Brockway Campground, Areas not to be developed due to site constraints of steep slope, erosion issues, possible avalanche, etc. and ask yourselves should any development be allowed on top of this ridgeline?

FIRE & LIFE SAFETY
ACCESS ROUTE

**MVWPSP WEST PARCEL** 



HIGURE - DI ... SUMMER 2012
WARTIS VALLEY WEST PARCEL

WAYCUATION ROUTH

ENGINEERING - PLANNING - SURVEYING

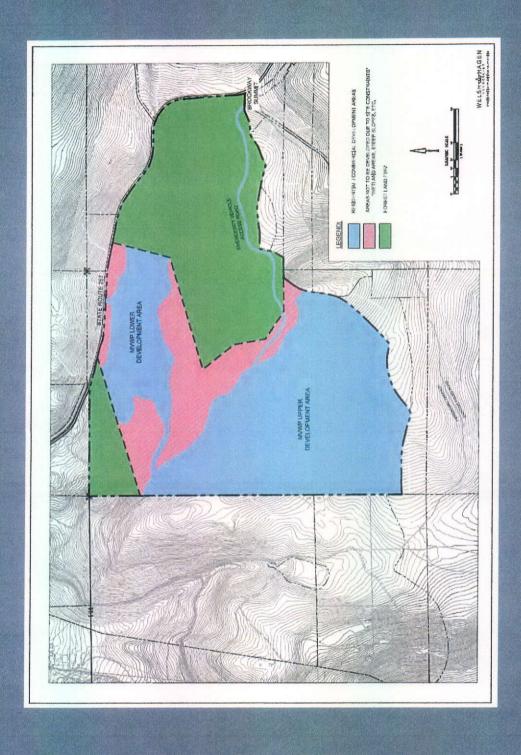
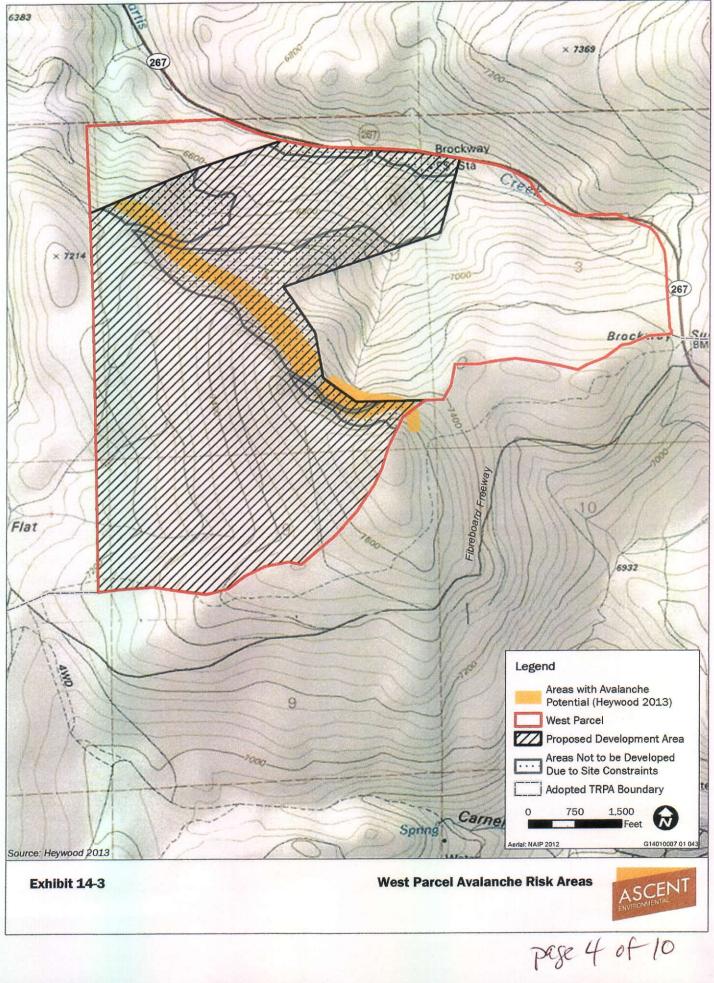
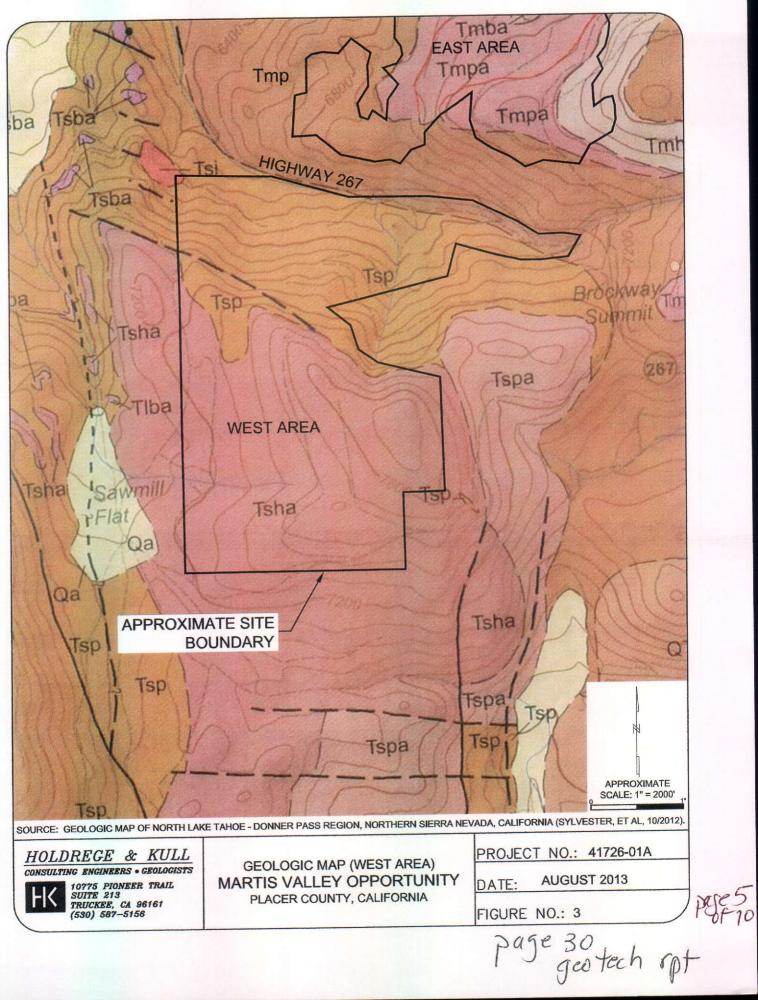


Figure 3-3 Development Areas and Non-Development Areas





### ABBREVIATED EXPLANATION Alluvium and related deposits; glacial deposits Recent alluvium Lacustrine deposits Qsd Sand dunes Qa Tahoe glacial deposits: Older lacustrine Qta - Till Ool deposits Qtao Qtao - Outwash deposits Mehrten Formation Squaw Peak member Andesitic intrusions, Basalt flows [4.0 Ma, #109] Tsba Basaltic andesite flows Diabase intrusion plugs, and dikes Biotite-hornblende andesite Biotite-hornblende andesite domes and Tsbha intrusions flows [3.4 to 3.75 Ma, #135 and 136] Volcaniclastic deposits, Pyroxene andesite Tspa undivided Martis Peak member Aphyric or microporphyritic Andesitic intrusions, plugs, Tma andesite lava flows and dikes Andesitic volcaniclastic Tmp deposits [6.36 Ma, #138] Homblende andesite Hornblende andesite Tmba Basaltic andesite flows Pyroxene andesite flows Tmha intrusion [6.32 Ma, #137] flows Mt. Lincoln member Tiba Basaltic andesite flows MAP SYMBOLS Contact between map units - Solid where accurately located, dashed where approximately located; short dash where inferred; dotted where concealed; queried where uncertain. Strike and dip of sedimentary beds: Contact separating individual lava flows within the same map unit. Inclined bedding. Fault - Solid where accurately located, dashed Horizontal bedding where approximately located; short dash where inferred; dotted where concealed; queried where Strike and dip of foliation: uncertain. Ball and bar on downdropped block. Inclined foliation. Landslide scarp. Vertical foliation. Moraine crestline, approximately located. Strike and dip of inclined cleavage. Dike. Location and number of radiometrically dated 103 Dike intruding fault. rock sample. Age data are presented in Tables 1 and 2 in the accompanying Hydrothermal alteration; boundary pamphlet. approximately located. SOURCE: GEOLOGIC MAP OF NORTH LAKE TAHOE - DONNER PASS REGION, NORTHERN SIERRA NEVADA, CALIFORNIA (SYLVESTER, ET AL, 10/2012). PROJECT NO.: 41726-01A HOLDREGE & KULL GEOLOGIC MAP LEGEND CONSULTING ENGINEERS . GEOLOGISTS

MARTIS VALLEY OPPORTUNITY

PLACER COUNTY, CALIFORNIA

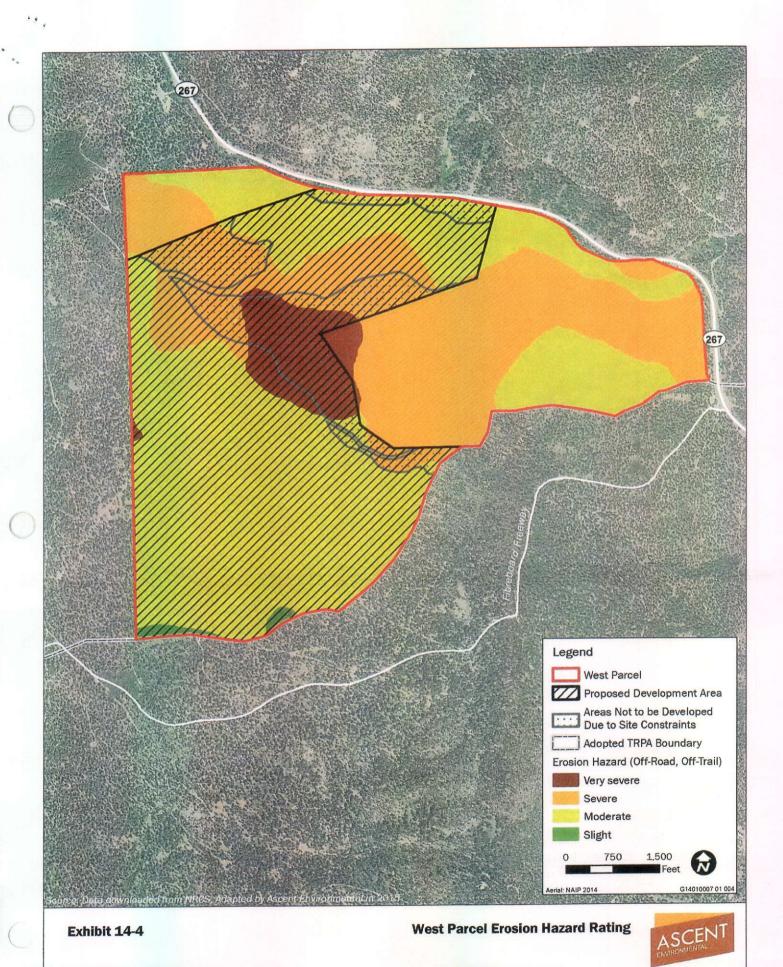
10775 PIONEER TRAIL SUITE 218 TRUCKEE, CA 96161 (530) 587-5156

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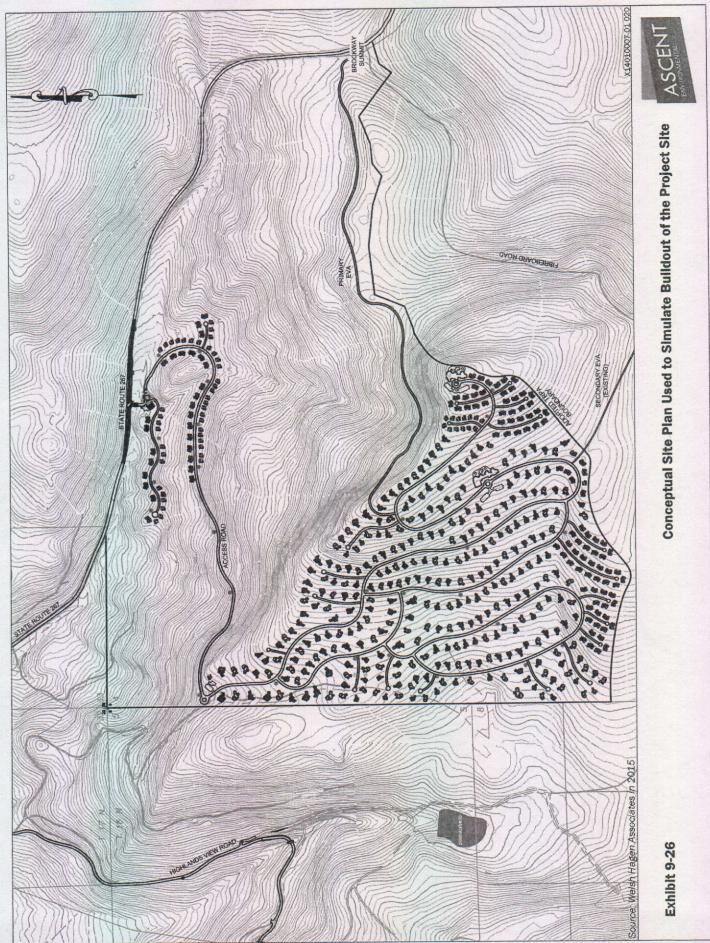
AUGUST 2013

DATE:

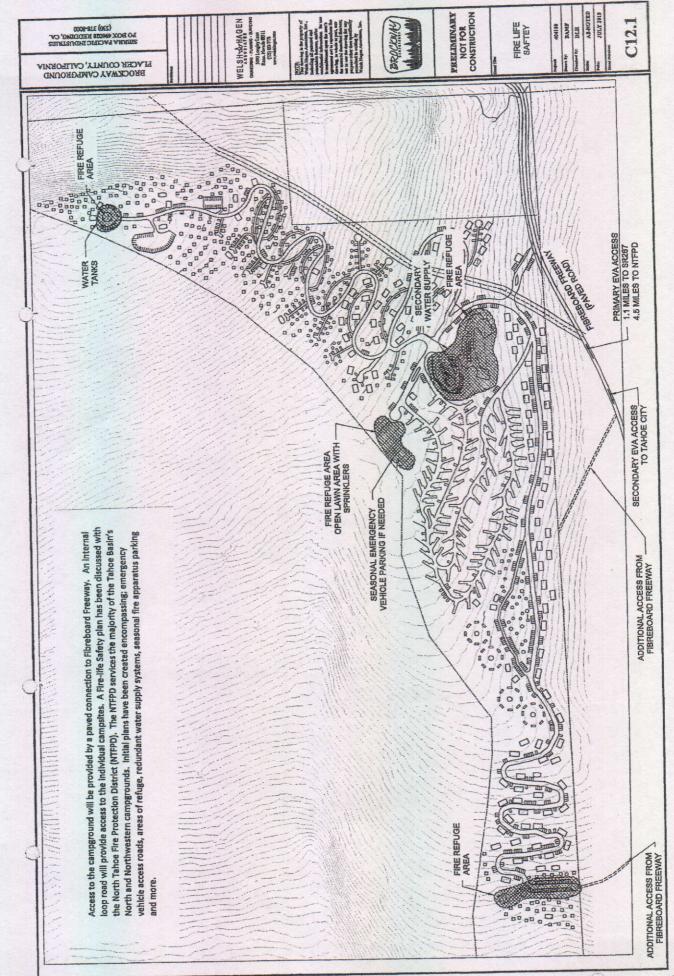
FIGURE NO.: 4

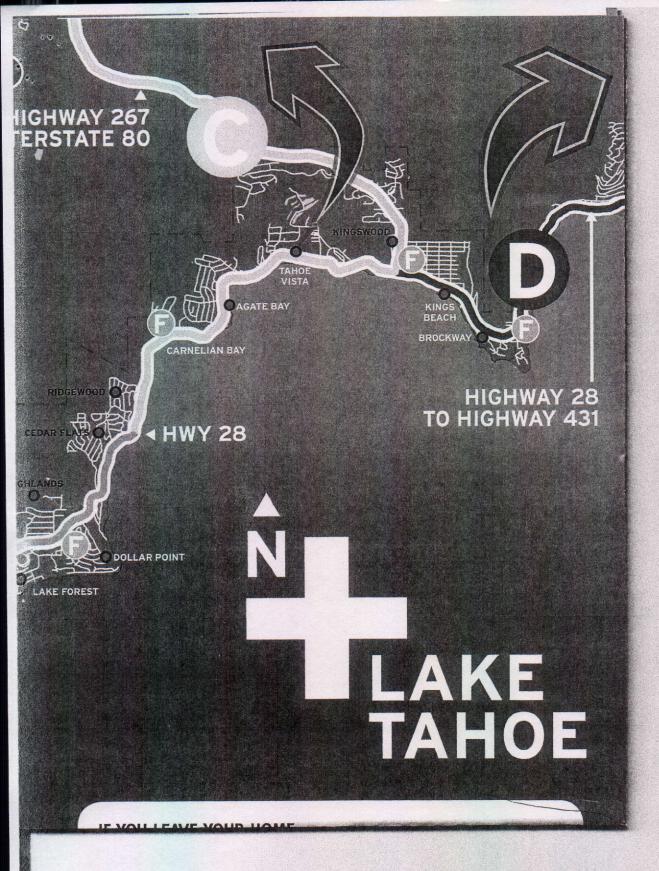


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page 8 of 10





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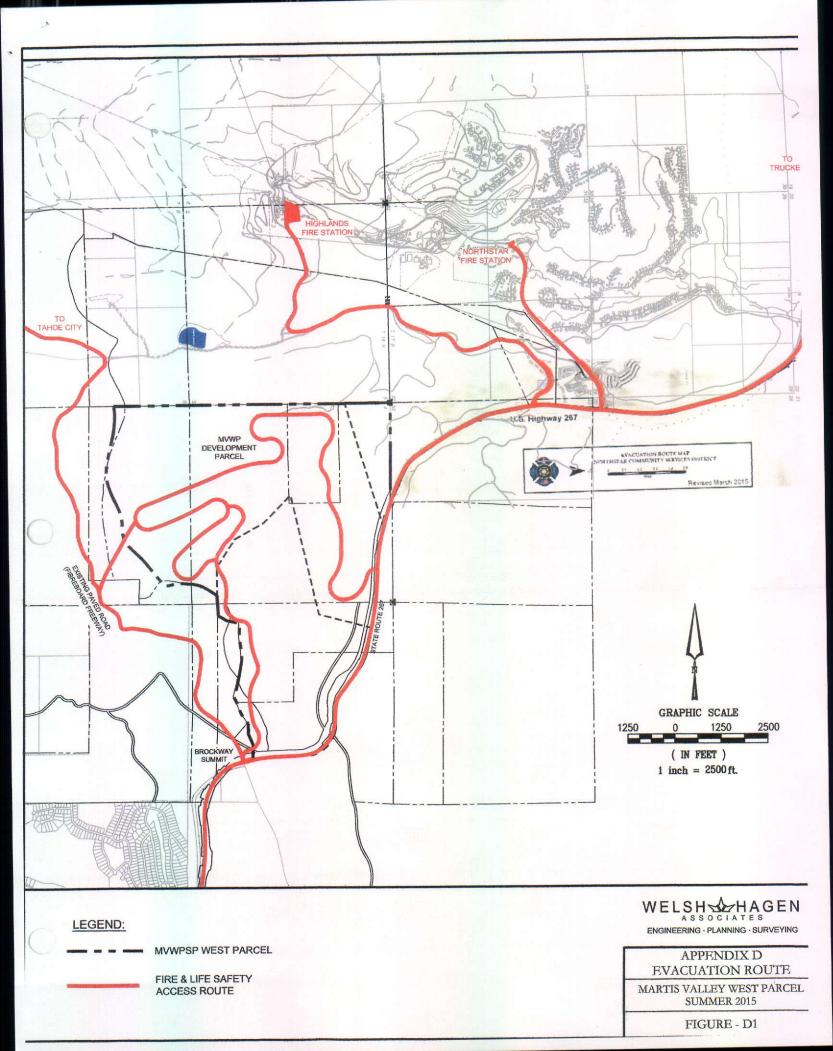
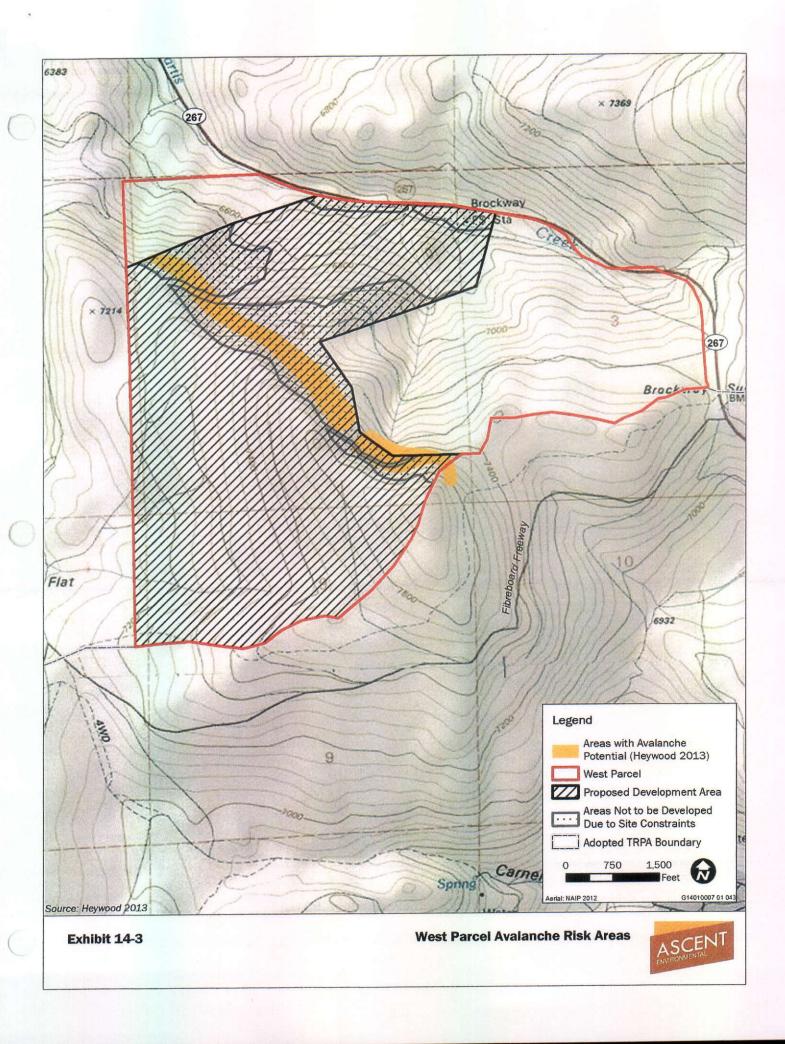
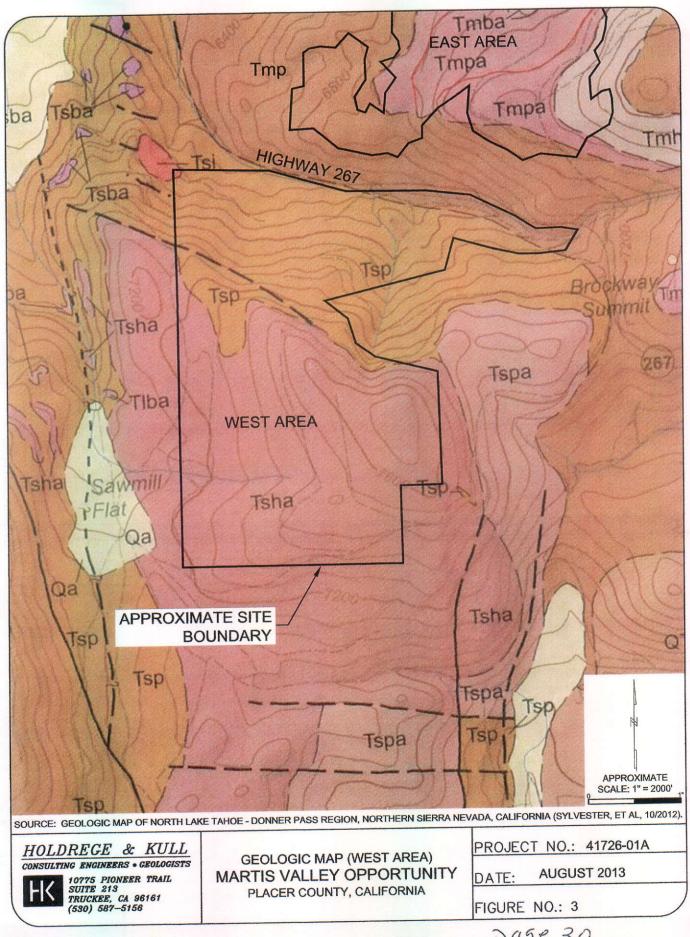


Figure 3-3 Development Areas and Non-Development Areas

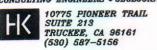




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HOLDREGE & KULL CONSULTING ENGINEERS . GEOLOGISTS



**GEOLOGIC MAP LEGEND** MARTIS VALLEY OPPORTUNITY PLACER COUNTY, CALIFORNIA

PROJECT NO.: 41726-01A

DATE: AUGUST 2013

FIGURE NO.: 4

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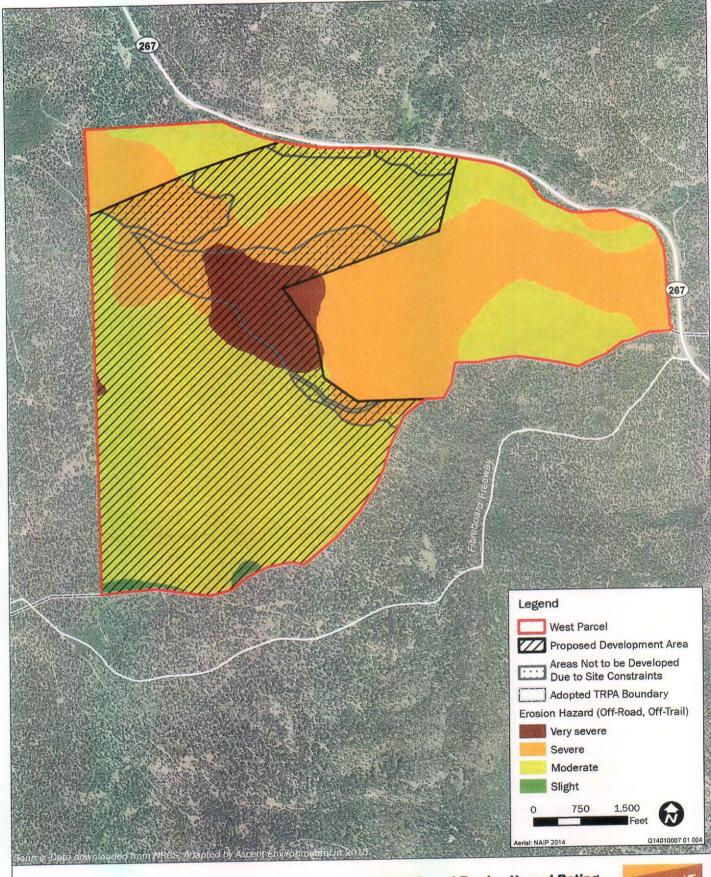
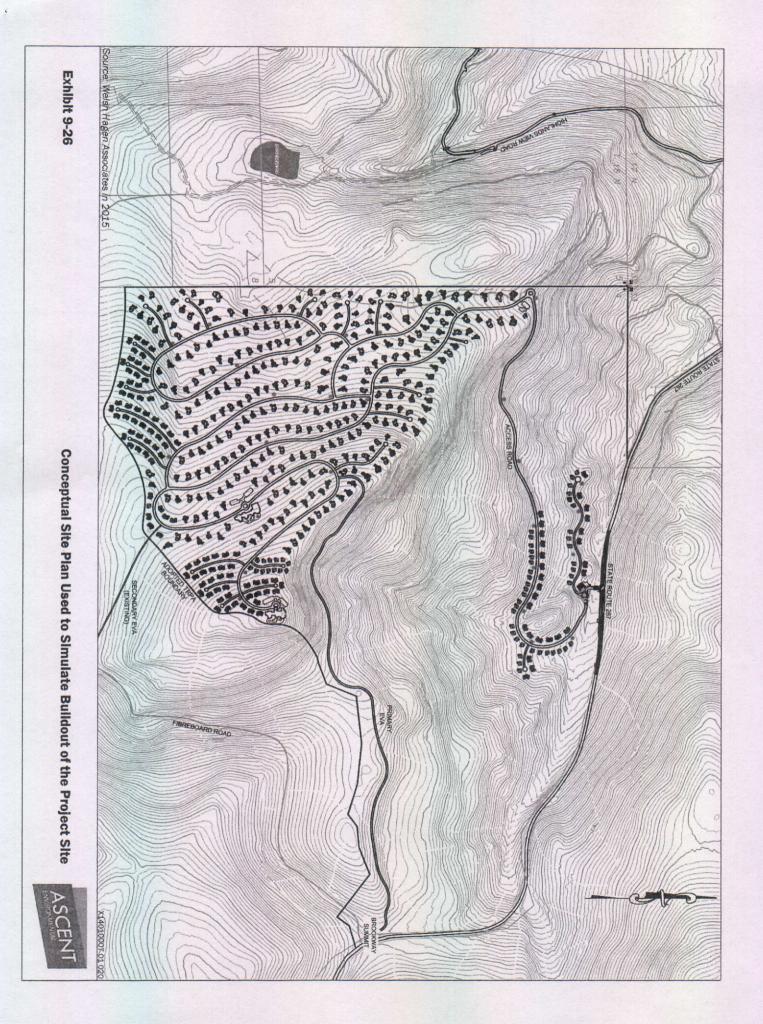
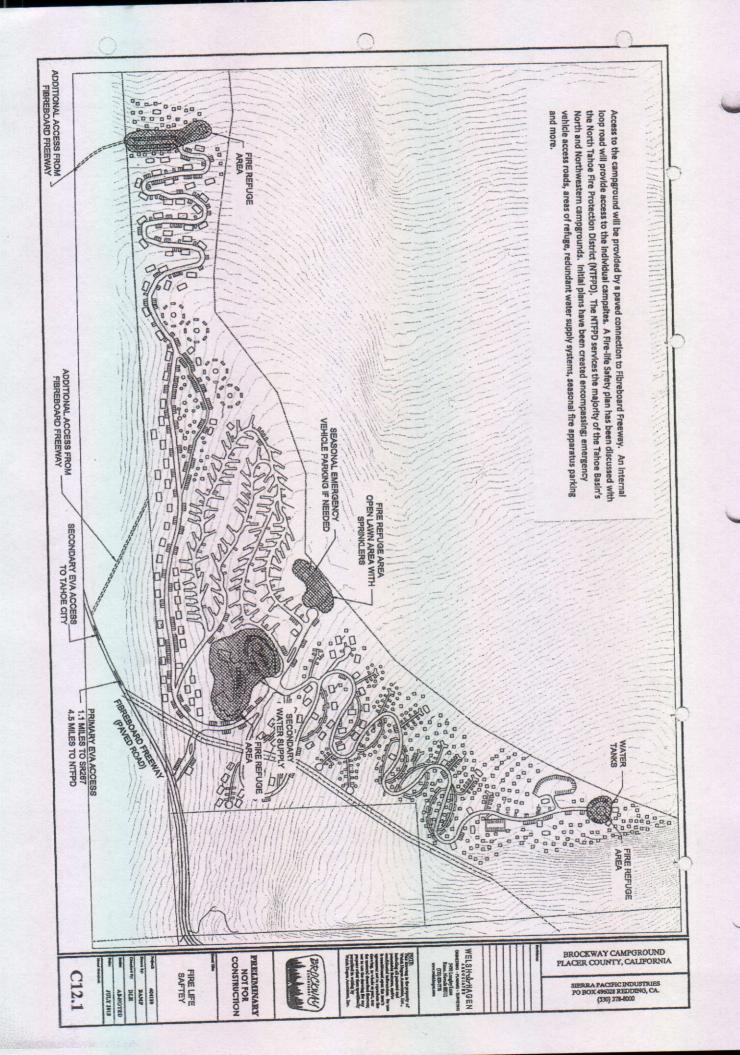


Exhibit 14-4

**West Parcel Erosion Hazard Rating** 







IGHWAY 267 ERSTATE 80

TAHOE
VISTA

ATE BAY

KINGS
BEACH

BROCKWAY

HWY 28

CARNELIAN BAY

HIGHWAY 28 TO HIGHWAY 431

DOLLAR POINT

LAKE FOREST

GHLANDS

RIDGEWOOD

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